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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/607,034

06/26/2003

Paul Wouters

AGFA1-0030

5625

23550

7590

08/18/2004

HOFFMAN WARNICK & D'ALESSANDRO, LLC
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ALBANY, NY 12207

EXAMINER

HSIEH, SHIH WEN

ART UNIT

PAPER NUMBER

2861

DATE MAILED: 08/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/607,034

Applicant(s)

WOUTERS ET AL.

Examiner

Shih-wen Hsieh

Art Unit

2861

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-8 is/are allowed.
- 6) ☒ Claim(s) 9-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 June 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 6-23-03

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Specification

2. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Instant application has more than one paragraph.

Claim Objections

3. Claims 1, 5 and 7 are objected to because of the following informalities:

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In regard to:

Claim 1:

Line 1, please change "the nozzle plate" to "a nozzle plate" to correct a minor lack of antecedent basis problem.

Claim 5:

Line 2, please change "the cleaning module" to "a cleaning module" to correct a minor lack of antecedent basis problem.

Claim 7:

Line 1, please change "the speed" to "a speed" to correct a minor lack of antecedent basis problem.

Also please this claim to depend on claim 5. Because the recitation in this claim indicates the cleaning module is moving. Claim 6 indicates print head is moving over the cleaning module. If claim 7 depends on claim 6, then a minor of lack of antecedent basis problem occurs. Changing claim 7 to depend on claim 5, in which the cleaning module translating over the nozzle plate, will obviate the minor lack of antecedent basis problem.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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5. Claims 9-12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Examiner is not clear as to whether claim 9 is related to the first embodiment or the second embodiment. Because in claim 9, line 3 recites "a cleaning solvent", lines 5-6 recite "said solvent", line 7 recites "said cleaning solvent", line 9 recites "said solvent", or two kinds of liquids are used. In the specification, first embodiment uses two liquids: solvent and cleaning solvent. In the second embodiment only one solvent is used, which serves two purposes: one for wetted brushing and the other for functioning as a cleaning solvent. The way that claim 9 was recited as now seems reflecting the first embodiment (please refer to specification pages 6 and 7, specially page 7, lines 6-9). If that is the case, then line 3 "a cleaning solvent" is to be changed to "a solvent", line 7 "said cleaning solvent" is to be changed to "a cleaning solvent is added to the nozzle plate". Or appropriate corrections is required.

No art rejection is given to claims 9-12 in this office action.

6. Claims 1-8 are allowed.

7. The following is a statement of reasons for the indication of allowable subject matter:

The primary reason for the allowance of claims 1-8 is the inclusion of the method step of applying a cleaning solvent to said nozzle plate, and limitation of

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characterized in that the application of said cleaning solvent and said subsequent removal of said cleaning solvent provides a movement of solvent over the nozzle plate. It is this step and limitation found in each of the claims, as they are claimed in the combination that has not been found, taught or suggested by the prior art of record, which makes these claims allowable over the prior art.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 5,793,390, "Wet-wipe maintenance device for a full-width ink-jet printer" issued to Claflin et al., 8/98 teaches in their fig. 2 a shuttle (50, corresponds to the cleaning module of the instant application), mounted on the shuttle are a wet wiper (60) and a vacuum nozzle (62), the shuttle moves along the face of the head by a lead screw so as to clean nozzles on the head, during the movement, a cleaning liquid is added to the face of the nozzles through the wet wiper to facilitate the removing of contaminants and debris adhere to the face of the head.

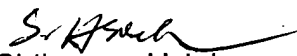
9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shih-wen Hsieh whose telephone number is 571-272-2256. The examiner can normally be reached on 7:30AM -5:00PM.

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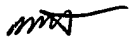
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, S D Meier can be reached on 571-272-2149. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SHIH-WEN HSIEH
PRIMARY EXAMINER


Shih-wen Hsieh
Primary Examiner
Art Unit 2861

SWH



Aug. 12, 2004